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AUG 31 2007

Attorney Docket No.: 6207.520 -US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pingel et al.

Serial No.: 10/725,843

Group Art Unit: 1656

Filed: December 2, 2003

Examiner: Swope, Sheridan Lee

For: Method for Producing Factor VII Glycoforms

## FACSIMILE CERTIFICATE OF TRANSMISSION

Via Facsimile No.: 571-273-8300

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

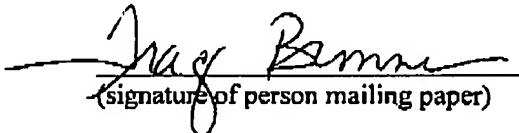
Sir:

I hereby certify that the attached correspondence comprising:

1. Statement Summarizing Telephonic Interview (2 pages)

is being faxed to the attention of Examiner Sheridan Lee Swope at the United States Patent and Trademark Office via facsimile no. 571-273-8300 on August 31, 2007

Tracy Bronner  
(name of person mailing paper)

  
(signature of person mailing paper)

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\*23650\*

PATENT TRADEMARK OFFICE

Attorney Docket No.: 6207.520-US

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pingel et al.

Application No.: 10/725,843

Group Art Unit: 1652

Filed: December 2, 2003

Examiner: Swope, Sheridan L.

For: Method for Producing Factor VII Glycoforms (as amended)

STATEMENT SUMMARIZING TELEPHONIC INTERVIEW

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir/Madam:

This paper memorializes a telephone interview conducted between the undersigned and Examiner Sheridan L. Swope on July 17, 2007 regarding (B) claims 1-6 and 8-15 of the above referenced patent application.

The undersigned contacted the Examiner to discuss the above referenced claims in the context of the Advisory Action mailed July 5, 2007. The Advisory Action had stated, "Amendment of the claims to recite a method of producing wild-type Factor VII using serum-free medium requires further searching and consideration of the prior art as well as evaluation under 35 USC 101 and 112."

The undersigned asserted to the Examiner that amendment of the claims to delete the requirement for medium "lacking animal-derived components" and replace it with a "serum-free" requirement represented a simple narrowing of the claim scope, which should not implicate any new prior art searching or reconsideration under 35 USC 101 or 112 but instead would place the claims in condition for allowance (by, *inter alia*, supporting Applicants' entitlement to a priority date of October 2, 2000, thereby removing the primary cited reference, Ragni et al., as prior art).

Application No. 10/725,843  
Attorney Docket No. 6207.320-US

AUG 31 2007

Page 2 of 2  
August 31, 2007

The Examiner responded that the Advisory Action response was based on her different understanding of the claim, i.e., that "serum-free" represented a *broader* claim scope than "lacking animal-derived components". The Examiner agreed to reconsider the issue; however, in a follow-up telephonic communication, the Examiner indicated that no change in position would be taken. Accordingly, no agreement was reached.

Respectfully submitted,

Date: August 31, 2007

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